

Stephen D. Finestone (125675)
Jennifer C. Hayes (197252)
Kimberly S. Fineman (184433)
FINESTONE HAYES LLP
456 Montgomery Street, 20th Floor
San Francisco, California 94104
Tel. (415) 209-5027
kfineman@fhlawllp.com

Attorneys for Chapter 7 Trustee Kyle Everett

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re

Case No. 20-30819-DM

BENJA INCORPORATED.

Chapter 7

Debtor

**REQUEST FOR ENTRY OF
ORDER BY DEFAULT GRANTING
CHAPTER 7 TRUSTEE'S MOTION
TO APPROVE COMPROMISE OF
CONTROVERSY WITH JOMBOY
CORP.**

Kyle Everett, Chapter 7 Trustee (“Trustee”) of the bankruptcy estate (the “Bankruptcy Estate”) of Benja Incorporated (“Benja” or the “Debtor”), hereby files his Request for Entry of Order by Default in support of his *Motion to Approve Compromise of Controversy with Jomboy Corp.* (the “Motion”). This request is supported by the concurrently filed Declaration of Kimberly S. Fineman. In support the request, the Trustee states as follows:

On January 22, 2024, the Trustee filed the Motion and the supporting Declaration of Kyle Everett. ECF Nos. 195 and 196.¹ Also on January 22, 2024, the Trustee filed the Notice and Opportunity for Hearing (the “Notice”) relating to the Motion. ECF No. 197. The Notice was

¹ "ECF No." references are to the docket in the above-captioned bankruptcy case.

1 served on creditors in the Court's ECF service list on January 22, 2024 and on creditors listed on
2 the Court's mailing matrix on January 23, 2024. ECF No. 199.

3 The Notice indicated that anyone wishing to object to the proposed stipulation was
4 required to do so by filing and serving a written objection no later than 21 days from the date on
5 which the Notice was served. The Notice further specified the last day for filing and serving
6 objections was February 13, 2024. The Trustee received no objections, and none were filed in
7 the bankruptcy case.

8 Based on the foregoing, the Trustee requests entry of an order approving the Motion and
9 providing as follows:

10 1. The Motion, ECF No. 195, is granted.

11 2. The Settlement Agreement and Release between the Trustee and Jomboy Corp.
12 (ECF No. 196, Exhibit A) is approved.

13 3. Without further Court order, the Trustee is authorized to take those actions that
14 he deems appropriate to implement the relief requested in the Motion and ordered by the Court.

15 4. The Court's order is effective upon entry, and the stay otherwise imposed by
16 Federal Rule of Civil Procedure 62(a) and/or Federal Rule of Bankruptcy Procedure 6004(h)
17 shall not apply.

18 Dated: February 14, 2024

FINESTONE HAYES LLP

20 /s/ Kimberly S. Fineman

21 Kimberly S. Fineman
22 Attorneys for Kyle Everett,
23 Chapter 7 Trustee